

**AN ORDINANCE  
BY COUNCILMEMBER CLAIR MULLER  
AS SUBSTITUTED BY THE PUBLIC SAFETY/LEGAL ADMINISTRATION  
COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE  
XVII OF THE CODE OF ORDINANCES FOR THE CITY  
OF ATLANTA TO PROHIBIT PRICE GOUGING AND  
SIMILAR PRACTICES AT PARKING FACILITIES  
THROUGHOUT THE CITY; AND FOR OTHER  
PURPOSES.**

**WHEREAS**, the sports, entertainment and tourism industries are important components of the economy of the City of Atlanta;

**WHEREAS**, parking facilities are a primary point of contact for those visiting or attending events within the City of Atlanta;

**WHEREAS**, price gouging at parking facilities within the city is detrimental to the image of the City of Atlanta and its economic vitality;

**WHEREAS**, price gouging can contribute to confusion and disorder at the entrances to and within parking facilities that can add to already congested traffic on the streets of the City of Atlanta; and

**WHEREAS**, further congestion in these areas can further increase the threats to public safety that this congestion can create.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF ATLANTA, THE FOLLOWING:**

**SECTION 1:** That Section 30-1196. Definitions. be amended to include the following words, terms and phrases:

*Chief Financial Officer* means the Chief Financial Officer of the City of Atlanta or his designee.

*Tag* means a distinctive piece of paper, plastic or other similar material, which shall have printed thereon a number and the full name and address of the park-for-hire facility, permitting the holder to park for a period longer than one (1) day.

**SECTION 2:** That Section 30-1197 be amended so that the new Section 30-1197 shall read as follows:

### **Section 30-1197. Barriers.**

All park-for-hire facilities within the corporate boundaries of the City shall provide and maintain automobile barriers.

SECTION 3: That Section 30-1198 be amended so that the new Section 30-1198 shall read as follows:

### **Section 30-1198. Attendant/cashier; uniforms.**

- (a) This division shall not require that a park-for-hire facility employ an attendant/cashier; however, at any facility where such is provided, the sections of this division pertaining thereto shall apply.
- (b) All attendants/cashiers at park-for-hire facilities that provide attendants/cashiers must be dressed in a uniform designated by the operator which readily identifies such attendants/cashiers as employees of the park-for-hire facility.

SECTION 4: That Section 30-1199 be amended so that the new Section 30-1199 shall read as follows:

### **Section 30-1199. Tickets and tags.**

- (a) *Ticket required.* It shall be the duty of every operator of a park-for-hire parking facility to issue to all persons seeking the privilege of parking a motor vehicle on a daily basis a distinctive ticket in the form and manner provided by this section. Tickets shall be issued by the operator in numerical sequence.
- (b) Each ticket issued by an operator shall indicate the name of the operator and the address of the park-for-hire facility upon or in which the motor vehicle is parked. Unless the parking lot or garage is equipped with an automated ticket dispenser which triggers the opening of a gate, tickets shall consist of three parts, one part shall be issued by the operator to the recipient; one part shall be retained by the operator, who shall indicate on the back thereof the time of arrival and departure of the motor vehicle; and one part shall be attached to the parked motor vehicle for the purpose of identification. All three-part tickets shall contain the same serial number on each part of the ticket.
- (c) *Receipts; records of transactions.* It shall be the duty of every operator to issue to all persons seeking the privilege of parking a motor vehicle on a daily basis a receipt showing the parking charge paid by the recipient.
  - (1) Unless a cash register is used which produces daily summary tapes showing the number of motor vehicles parked, the receipt shall be in the form of a two-part

numerical receipt and the operator shall retain one (1) part and issue one (1) part to the recipient.

(2) Each part shall show the parking charge.

(d) *Weekly, monthly or other passes.*

(1) Every operator shall require a tag to be attached to each motor vehicle that is permitted to park on a weekly or monthly basis, or other basis longer than one (1) day.

- a. Each tag shall show the name of the operator and address of the parking lot or garage upon or in which the motor vehicle parked;
- b. An identification number;
- c. The number and issuing state of the license plate of the parked motor vehicle; and
- d. Whether the motor vehicle is parked on a weekly or monthly or other basis longer than one (1) day, indicating starting and ending dates of the week, month or other period.
- e. Tags shall be issued by the operator in numerical sequence.

(2) The operator shall keep a book record of all tags issued, showing each tag's date of issuance, identification number and parking charge imposed.

(3) The operator shall remove, or cause to be removed, and shall void each tag at the end of the week, month or other applicable period, and shall cause a new tag to be attached to the motor vehicle at the beginning of each new period.

**SECTION 5:** That Section 30-1200. Lighting shall be renumbered to be Section 30-1202.

**SECTION 6:** That the new Section 30-1200 shall read as follows:

**Section 30-1200. Maintenance of records.**

(a) It shall be the duty of every operator to keep accurate and complete books and records to which the Chief Financial Officer shall at all times have access with not less than twenty-four (24) hours notice.

(1) These books and records shall include all cash register or other receipts and all cash register tape, all tickets and voided tags required by this article; and

(2) A daily sheet for each location showing;

- a. The number of motor vehicles parked in or on each lot or garage, segregated on a daily, weekly, monthly, or other basis, and also segregated by the amount of the charge or fee imposed for parking; and
- b. The actual parking lot or garage tax receipts collected from all parking transactions.

- (b) All books and records required by this section shall be retained for at least four (4) years after the end of the calendar year in which they are created; provided, however, that an operator on an annual basis may request approval from the Chief Financial Officer to discard tickets or tags that were issued more than one (1) year earlier and the Chief Financial Officer shall grant such approval if he determines that the operator's books and records satisfy the requirements of this article.

SECTION 7: That Section 30-1201 be amended so that the new Section 30-1201 shall read as follows:

**Section 30-1201. Signs; posting of rates.**

- (a) First-time applicants for a park-for-hire permit shall be required to pay \$100.00 for the fabrication of a notice sign setting forth the following:
- (1) The telephone number of the principal office of the operator of the facility;
  - (2) The business hours of operation for the facility (i.e., time of opening and closing);
  - (3) Park-for-hire parking lot permit number;
  - (4) Business license number;
  - (5) The name of the operator;
  - (6) The physical street address of the lot;
  - (7) The permit expiration date; and
  - (8) The number of parking spaces permitted.
- (b) Notice signs for shared-use park-for-hire facilities will display both the number of stalls available both during the primary establishment's business hours and during its off-hours.
- (c) The notice sign shall be posted at the main entrance to the lot in such a manner so that it is easily viewable from the driver's seat of an entering vehicle. The \$100.00 fee is payable upon receipt of the park-for-hire permit, at which time the notice sign is also given to the operator.
- (d) When renewing, a renewal sticker is provided with the renewed park-for-hire permit that must be placed on the appropriate spot on the notice sign.
- (e) Changes to information contained on the notice sign (e.g. phone number or hours of operation) will necessitate the payment of \$100.00 for the fabrication of a new notice sign that reflects these changes. A fee of \$100.00 will be required of the operator for the replacement of any damaged or missing sign.
- (f) It is unlawful for any person to demand or collect any charge for parking or for keeping or storing any motor vehicle in any park-for-hire facility unless there is erected and maintained at or near each entrance to such public garage or parking lot a permanent sign which is adequate to apprise anyone entering for the purpose of using

such garage or parking lot of the following information and conforming to the following standards:

- (1) Signs shall contain numbers and letters indicating the time units and rate or rates for parking which are clearly readable and visible from a distance of fifty (50) feet; provided, that, if a rate charged for any time period is higher than the rate usually charged for that time period the higher rate shall be designated on a sign in letters and numbers not less than one and one-third (1/3) times the size of the largest letter or numeral indicating the rate usually charged, and the sign shall clearly indicate that a special rate is being charged.
- (2) Signs indicating more than one (1) rate and time interval shall contain figures for each rate and time interval; rates shall be listed with the shortest time interval on the top and the all-day rate on the bottom.
- (3) If any rate other than an all-day rate is to be charged, the maximum rate for all-day parking must be posted.
- (4) Signs shall indicate any hours when the public garage or parking lot is not open for public parking and shall specify the night parking rate or weekend parking rate when such rate(s) differ from regularly posted rates.
- (5) Signs shall indicate specific hours when a night rate is applicable and/or specific days and hours when a weekend rate is applicable.
- (6) All numbers and letters on such signs shall be of a contrasting color to the background thereon.
- (7) The bottom line of rate information shall be at least six (6) feet above the sidewalk level; provided that it may be lower if rate information cannot be obstructed at any time.

**SECTION 8:** That Section 30-1202 shall be amended so that the new Section 30-1202 shall read as follows:

**Section 30-1202. Lighting.**

Reasonable lighting shall be required for each park-for-hire facility during the hours that the facility is open for business. Subsection (2) of this section shall only be required at new facilities. Where applicable, public street lighting may be utilized to either partially or totally fulfill the following requirements; however, where such street lighting is removed it shall be the responsibility of the parking facility to independently provide these required levels of illumination.

- (a) *Open parking facilities.* For open-area park-for-hire facilities, three levels of activity shall be established as high, medium and low. The levels shall reflect both traffic density and intensity and shall include but are not limited to the following:
  - (1) High activity.
    - a. Major league athletic events.
    - b. Major cultural or civic events.

- c. Major regional shopping centers.

(2) Medium activity.

- a. Fast food facilities.
- b. Area shopping centers.
- c. Hospital parking areas.
- d. Transportation parking (airports and other similar parking areas).
- e. Cultural, civic or recreational events.
- f. Residential complex parking.

(3) Low activity.

- a. Local merchant parking.
- b. Industrial employee parking.
- c. Educational facility parking.

The minimum safety illuminance value for areas used by the public in open park-for-hire facilities for such levels of activity shall be as follows:

<u>Level of Activity</u>	<u>Lux</u>	<u>Footcandles</u>
Low Activity	2	0.2
Medium Activity	6	0.6
High Activity	10	0.9

(b) *Open and covered parking facilities with more than one level.*

Minimum Illumination

<u>Area</u>	<u>Intensity</u> <u>(in Footcandles)</u>
Stairways and exits	10
Interior driving aisles center line	5
Interior parking areas at barrier railings	0.5
Roof parking areas	0.5

**SECTION 9:** That Section 30-1206. Reserved. be amended so that the new Section 30-1206 will read as follows:

**Section 30-1206. Enforcement procedures.**

- (a) Violation of any provision of this article shall be cause for a citation to be issued by any police officer or any other sworn city personnel, according to procedures set forth in the City Code of Ordinances.
- (b) In lieu of issuing a citation, the City can issue an order requiring any parking facility found in violation of this article to meet compliance within a reasonable period, not to exceed thirty (30) days, according to the guidelines that the City may prescribe.
- (c) *Penalties.* Any person convicted of a violation of any provision of this article shall be subject to the following penalties:
  - (1) *First offense.* A fine not more than \$500.00, or a period of confinement in the city jail not to exceed ten (10) days and a probationary period not to exceed sixty (60) days, or both.
  - (2) *Second offense.* A fine not more than \$1,000.00, or a period of confinement in the city jail not to exceed thirty (30) days and a probationary period not to exceed one-hundred eighty (180) days, or both.
  - (3) *Third offense.* A fine of \$1,000.00, or a period of confinement in the city jail not to exceed six (6) months and a probationary period not to exceed one (1) year, or both.
  - (4) *Revocation of permit.* In addition to any other penalties provided in this section, any permit issued to the owner or the agent of the owner of any park-for-hire facility found in violation of any provision of this article two (2) or more times within any one (1) year period shall be subject to revocation.

SECTION 10: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.